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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/614,640

07/07/2003

Hideharu Yoshizawa

F-7882

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EXAMINER

COLILLA, DANIEL JAMES

ART UNIT

PAPER NUMBER

2854

MAIL DATE

DELIVERY MODE

06/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/614,640

Applicant(s)

YOSHIZAWA, HIDEHARU

Examiner

Daniel J. Colilla

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2007.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,4-8,19,21 and 22 is/are pending in the application.
4a) Of the above claim(s) 5,6,8 and 19 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☐ Claim(s) 1,4,7,21 and 22 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 03 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karlyn *et al.* US (5,867,882).

With respect to claim 1, 4 and 7, Karlyn *et al.* discloses a method for manufacturing a screen plate which inhibits the generation of moiré including setting a dot angle for each printing color at predetermined interrelated angles (col. 3, lines 10-19). The angles are interrelated since these are the angles that do not produce moiré for each color. In col. 3, lines 39-52, Karlyn *et al.* discloses matching a screen angle of a screen with each dot angle and Karlyn *et al.* discloses forming the screen plate by stretching the screen over a frame for each color; each screen being oriented at the screen angle with respect to the frame (col. 4, lines 19-30). Karlyn *et al.* further discloses printing with colors yellow, magenta, black and cyan (col. 1, lines 34-37).

Additionally, In col. 3, lines 16-19, Karlyn *et al.* discloses the following dot angles for each color:

angle determination, as for the line count. In general, the preferred angles for color separation are cyan (75°), black (45°), magenta (15°), and yellow (90° or 0°), these being the North American offset standards earlier disclosed.

The each angle for each color is only slightly different than those angles recited by applicant. In fact, subtracting 6 from each of the ranges of angles recited by applicant results in the angle ranges that overlap with the angles disclosed by Karlyn *et al.* In other words, the difference angles between the dot angles as recited by applicant and those disclosed by Karlyn *et al.* are the same. Additionally, the determination of the exact optimal angles would have been readily determined by one of ordinary skill in the art through routine experimentation. One of ordinary skill in the art would readily know that changes in the dot angles will give varying results with respect of moiré.

With respect to claim 4, the moiré-preventing step is performed by rotating the screen in a horizontal direction to a position of minimal moiré (col., 3, lines 43-47).

With respect to claim 7, it is noted that the method of producing an article in an apparatus claim holds no patentable weight if the method does not result in a structural difference in the final article. In this case, the method of forming the screen does not appear to result in any structural difference. Karlyn *et al.* discloses a screen and a frame; the screen being oriented at the screen angle with respect to the frame as mentioned above with respect to claim 1. In col. 3, lines 12-14, Karlyn *et al.* discloses that each screen has a film positive.

3. Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Karlyn *et al.* US (5,867,882), as applied to claims 1 and 7 above respectively, and further in view of Rhein (US 6,505,554).

With respect to claims 21 and 22, Karlyn *et al.* discloses the claimed method and screen plate except for the dots being in the form of an ellipse. However, Rhein teaches a method and

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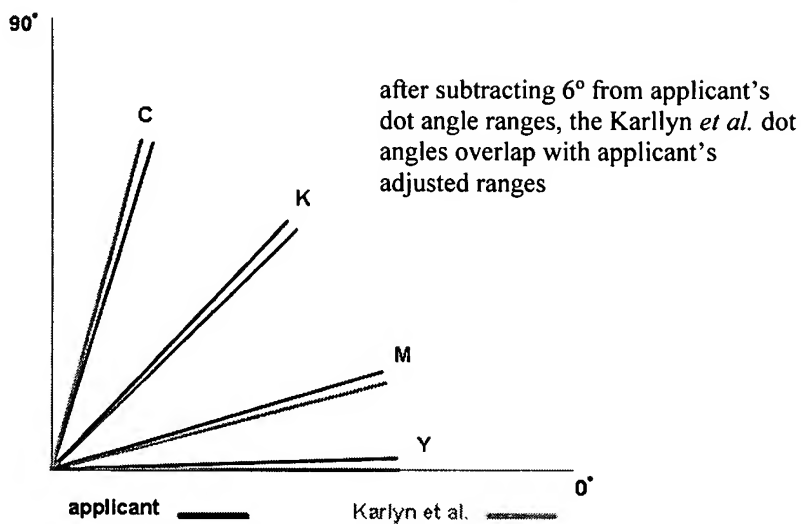
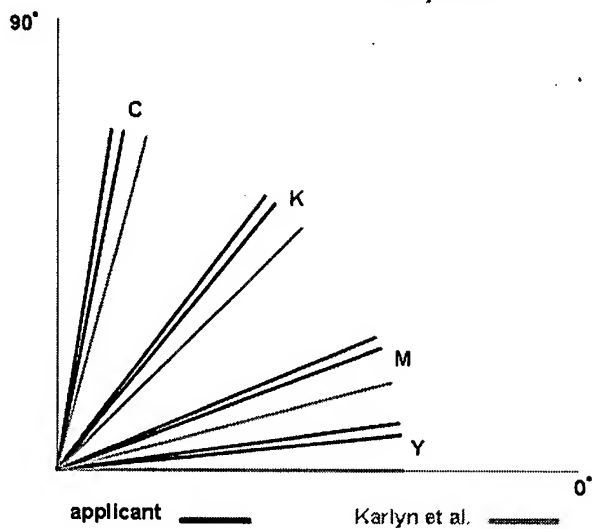
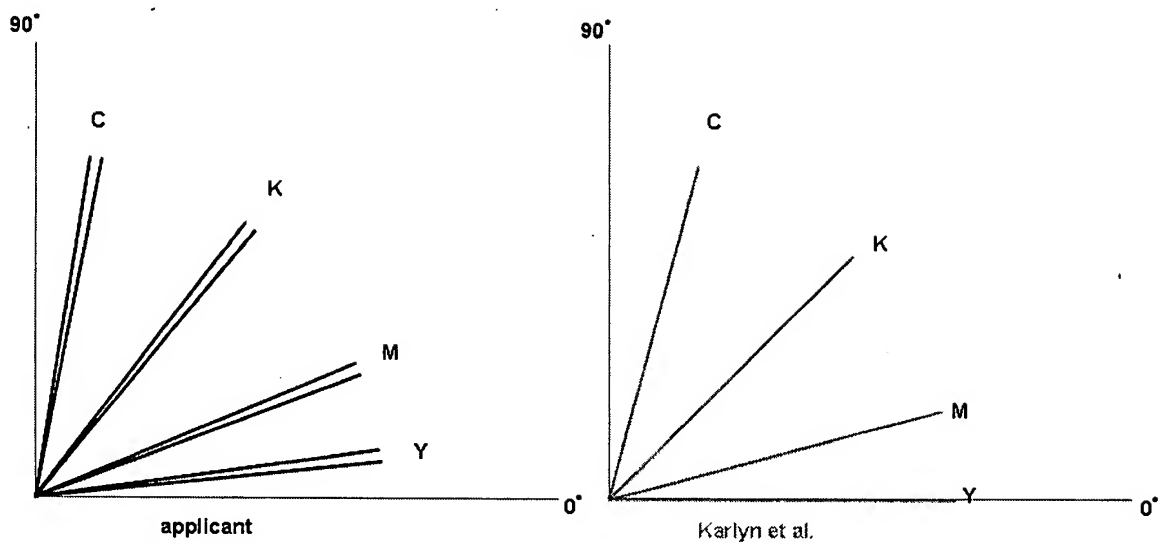
screen plate in which the dots are in the form of an ellipse as taught in col. 3, liens 53-56 of Rhein. It would have been obvious to combine the teaching of Rhein with the method and screen plate disclosed by Karlyn *et al.* for the advantage of a screen plate that minimizes moiré (Rhein, abstract).

Response to Arguments

4. Applicant's arguments filed 3/29/07 have been fully considered but they are not persuasive of any error in the above rejection.

As pointed out above in the rejection of claims 1 and 7, subtracting 6 from each of the ranges of angles recited by applicant results in the angle ranges that overlap with the angles disclosed by Karlyn *et al.* In other words, the difference angles between the dot angles as recited by applicant and those disclosed by Karlyn *et al.* *are the same*. It is submitted here that it is the difference between the color dot angles that are important and not the absolute angle with respect to an arbitrarily set up coordinate system. Below is a graphic illustrating the relationship between the angles disclosed by applicant and the angles disclosed by Karlyn *et al.*:

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Additionally, at the end of page 12 of applicant's remarks, applicant argues that:

Moreover, applicant submits further, that the placement of dots angled at the claimed positions, at least in the case of printing on fabrics arranged with thread weaves running in directions of 0 degrees and 90 degrees (vertical and horizontal), avoids alignment of dot rows or columns with the weave directions,

However, it is noted that applicant does not recite any language regarding fabrics or thread weaves in the claims, thus this point is not considered to be relevant at this time.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Colilla whose telephone number is 571-272-2157. The examiner can normally be reached on M-F 7:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached at 571-272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

June 19, 2007


Daniel J. Colilla
Primary Examiner
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